# ELECTRONICALLY FILED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title : Superset File Browser

Inventors: C. Thorman and M. Stein

Serial No.: 10/737,055 Filed : December 15, 2003

Examiner: Cheryl Renea Lewis Art Unit: 2167

Docket : P3217US1(119-0020US) Customer: 29855

Mail Stop Appeal Brief Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# **APPEAL BRIEF**

# **Table of Contents**

I.	REAL PARTY IN INTEREST	
II.	Related Appeals and Interferences	
III.	Status of Claims	
IV.	Status of Amendments	
V.	Summary of Claimed Subject Matter3	
VI.	Grounds of rejection to be reviewed on appeal5	
VII.	Argument	
	A.	Publication No. US 2003/0163519 to Kegel et al. ("Kegel")
	B.	Comments to Examiner's "Response to Arguments" 6
	C.	Kegel Does Not Anticipate the Claimed Subject Matter 10
	D.	The Rejection of Claims 10, 13, 18-24, 32, 34, 37-39, 47, 48, 56-60, and 70-74 as Allegedly Being Obvious Over Kegelin view of Starbuck under 35 U.S.C.103 is Improper
	E.	Conclusion
VIII.	Claims Appendix	
IX.	Evidence Appendix	
Χ.	Related Proceedings Appendix	

# I. REAL PARTY IN INTEREST

Apple Inc. is the real party in interest.

## II. RELATED APPEALS AND INTERFERENCES

None.

#### III. STATUS OF CLAIMS

Claims 1-76 are rejected. Claims 1-76 are appealed.

# IV. STATUS OF AMENDMENTS

None.

## V. SUMMARY OF CLAIMED SUBJECT MATTER

This section provides a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by paragraph and line number and to the drawings by reference characters as required by 37 C.F.R. 41.37(c)(l)(v). Citation to the specification and/or drawings does not imply that limitations from the specification and drawings should be read into the corresponding claim element. Additionally, references are not necessarily exhaustive; various claim elements may also be described at other locations.

Independent claim 1 recites a file browser method(¶ 19,  $\ell$  1-3, ¶ 20,  $\ell$  1-3), comprising the acts of designating a plurality of file system locations, wherein each file system location is associated with zero or more file objects(¶ 21,  $\ell$  8-14, ¶ 24,  $\ell$  7-11),

and displaying a superset of the file objects associated with each of the designated file system locations in a single displayon a display unit ( $\P$  20,  $\ell$  1-3, original claim 40).

Independent claim 25 recites a computer readable storage device comprising instructions for causing a computer to permit a user (¶ 35, £ 1-4, 8-16) to designate a plurality of file system locations, wherein each file system location is associated with zero or more file objects( $\P$  21,  $\ell$  8-14,  $\P$  24,  $\ell$  7-11); and display the superset of the file objects associated with each of the file system locations in a single display ( $\P$  20,  $\ell$  1-3).

Independent claim 40 recites a computer system, comprising a central processing unit ( $\P$  35,  $\ell$  1-8); a memory operatively coupled to the central processing unit (¶ 35, ℓ 8-16);a computer network connection operatively coupled to the central processing unit(¶ 35, £ 8-16); a display unit operatively coupled to the central processing unit and the memory (original claim 40); and a storage device, operatively coupled to the central processing unit and the memory (¶ 35, & 8-16), said storage device having instructions stored thereon for causing the central processing unit todisplay, on the display unit, a file-browser application (¶ 35,  $\ell$  1-4), designate a plurality of file system locations, wherein each file system location is associated with zero or more file objects( $\P$  21,  $\ell$  8-14,  $\P$  24,  $\ell$  7-11), and display, in the file-browser application, a superset of the file objects associated with each of the file system locations (¶ 20, ℓ. 1-3).

Independent claim 49 recites in a computer network of a type including at least two devices(¶ 35, £ 8-16), wherein each device presents a file system, each of said file systems comprising one or more locations (¶ 35,  $\ell$  8-16), each of said one or more locations associated with zero or more file system objects, a method for displaying a superset of file system objects, comprising specifying a file system location on each of the at least two devices ( $\P$  20,  $\ell$  1-3,  $\P$  21,  $\ell$  8-14,  $\P$  24,  $\ell$  7-11), and displaying the set

union of the file system objects located at each of the specified file system locations( $\P$  20,  $\ell$  1-3).

Independent claim 65 recites a computer readable program storage device comprising instructions stored therein for causing a computer ( $\P$  35,  $\ell$  1-4) to specify a file system location on each of at least two computers, and display the set union of file system objects located at each of the specified file system locations ( $\P$  20,  $\ell$  1-3).

# VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-9, 11, 12, 14-17, 25-31, 33, 35, 36, 40-46, 49-55, and 61-69 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kegel et al.(Publication No. US 2003/0163519). Claims 10,13,18-24,32,34,37-39,47,48,56-60, and 70-74 stand rejected under35 U.S.C. 103(a) as being unpatentable over Kegel et al. as applied to claims 1, 25, 40, 49, and 65 above, and further in view of Starbuck et al. (Publication No. US 2003/0084096).

## VII. ARGUMENT

The claims do not stand or fall together. Instead, Appellants present separate arguments for various independent claims. After a concise discussion of the cited art, each of these arguments is separately presented below under separate headings and sub-heading as required by 37 C.F.R. 41.37(c)(l)(vii).

# A. Publication No. US 2003/0163519 to Kegel et al. ("Kegel")

Kegel discloses a "website . . . produced from a . . . hierarchical file structure . . . [in which a] conversion program . . . converts the data in the hierarchical file structure. . . into hypermedia for the web site."Kegel at Abstract.Pages of the website can be "altered or added by remote users, by e-mailing updates to a computer configuration

APPEAL BRIEF SERIAL NO: 10/737,055 FILED ON 09 JUN 2008 DOCKET NO: P3217US1

that supports the site."Kegel at Abstract. The conversion program converts the data in the e-mail into hypermedia and updates the website accordingly. Kegel at Abstract.

The hierarchical file structure may reside on the computer system where the conversion program resides, and/or at a different location on the network, such as a network server. Kegel at ¶ 111.

Kegel displays the hierarchical file structure in the "well known" Microsoft WINDOWS® explorer fashion with "a left hand window 30 that shows the hierarchical folder structure, and a right hand window 31 that shows the individual files included within a particular folder." Kegel at ¶ 60 and Fig. 5,emphasis added. Although the left folder window may show the folders that reside on both the computer system where the conversion program resides as well as the optional network server, the right file window will show only the files from a single "particular folder' located on either of these two locations. Kegel at ¶ 60,¶ 111, Fig. 2, Fig. 5, emphasis added.

#### В. Comments to Examiner's "Response to Arguments"

- "Each of two or more" file systems 1. In her response to Appellant's prior arguments, the Examiner states:
  - The Examiner respectfully disagrees with the applicants' remarks. The claim 7b. limitations recite "displaying a superset of the file objects associated with each of the designated file system locations in a single display on a display unit". The limitations of the claims do not recite "displaying a superset or set union of the file

objects associated with <u>each of two or more</u> designated file system locations in a single display".

The applicants are asserting that the limitations recite "each of two or more" designated file system locations in a single display. However, the limitations only recite "displaying a superset of the file objects associated with each of the designated file system locations in a single display on a display unit". There is no statement in the limitations of the claims that suggests "each of two or more" designated file system locations.

Office Action dated January 9, 2008 at p. 2, ¶ 8b. The position that independent claims 1, 25, 40, 49, and 65 do not suggest "each of two or more" designated files system locations is without merit and is, in fact, contradicted by the plain language of the claims.

Each of independent claims 1, 25, 40, 49, and 65 recite the designation of either "a plurality of file system locations" or "a file system location on each of the at least two devices." It seems beyond reasonable dispute that a "plurality" and "at least two" has the same meaning as "each of two or more." For at least this reason the Examiner's position is without merit.

# 2. "Contents of multiple directories"

In her response to Assignee's prior arguments, the Examiner further states:

8b. The Examiner respectfully disagrees with the applicants' remarks. Again, the applicants' claim limitations do not recite or mention contents of multiple directories that are displayed simultaneously.

Office Action dated January 9, 2008 at p. 3-4, ¶8b.The position that independent claims 1, 25, 40, 49, and 65 do not "mention or suggest[] that the contents of multiple directories are displayed simultaneously" is without merit and is, in fact, contradicted by the plain language of the claims.

As noted above, each of independent claims 1, 25, 40, 49, and 65 designate "a plurality of file system locations" or a "file system location on each of the at least two devices. "The terms "plurality" and "at least two" clearly means the same as "multiple."Further, the act of displaying in each independent claims is directed at displaying a superset of objects from two or more (see discussion above) file system locations. "File system," in turn, is defined in the specification to be "the ordered collection of files and *directories* stored on one or more storage units."Specification at ¶ 3 (emphasis added); see also Fig. 5. For at least this reason the Examiner's position is without merit.

3. Kegel does not teach "displaying a superset or set union of the file objects associated with each of two or more designated file systemlocations in a single display"

In her response to Assignee's prior arguments, the Examiner also states:

9b. The Examiner respectfully disagrees with the applicants' remarks. Kegel teaches displaying via a web site (figure 5, paragraph 0060). A superset of the file objects consists of "About Us" (element 34), "Contacts" (element 35), "Products" (element 36) and "Services" (element 37). These file objects are a superset of "Lemon Source" (element 33). "Lemon Source" is at the root of the file object structure (paragraph 0061). Again, the file objects consisting of About Us" (element 34), "Contacts" (element 35), "Products" (element 36) and "Services" (element 37) are each associated with each of the designated file system locations. The designated file system locations associated with the file objects consist of for instance, "Breakfast" (element 40), "Evening Meal" (element 41), and "Lunch" (element 42), (paragraph 0061). These file system locations consisting of "Breakfast" (element 40), "Evening Meal" (element 41), and "Lunch" (element 42) provide content and location for file objects "Products" (element 36) and "Meals" (element 38).

The file system locations are displayed in a single display (paragraph 0060, element 17). In response to applicants' argument that the Kegel et al. (Patent Application Publication No. 20030163519) reference fails to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "...file objects associated with each of two or more designated file system locations...") are not recited in the rejected claims of independent claims 1, 25, 40, 49, and 65. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Genus, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Thus, the arguments are not persuasive.

Office Action dated January 9, 2008 at p. 4-5, ¶ 9b. The position that Kegel teaches or fairly describes "displaying a superset or set union of the file objects associated with each of two or more designated file system locations" is without merit.

The Examiner appears to be confusing the simultaneous display of anumber of separate file system locations (described by Kegel) with the act of displaying a superset of file objects from a plurality of file system locations (as per independent claims 1, 25, 40, 49, and 65).

Appellant does not dispute that Kegel at Fig. 5 displays a plurality of file system locations (i.e., a first location shown in a "left-hand" window and a second location in a "right-hand" window). In contrast, independent claims 1, 25, 40, 49, and 65 are directed to displaying a superset (independent claims 1, 25, and 40) or set union (independent claims 49 and 65) of file objects associated with each of two or more designated file system locations in a single display. An illustrative example of the claimed single display is shown at Fig. 5 (and ¶ 26) of the Specification as filed (see also Fig. 4 and  $\P$  24).

Thus, while Kegel displays a plurality (e.g., superset or set union) of file system locations in a plurality of displays, the claimed invention displays a superset of file system locations in a single display. The difference is not a grammatical one, but rather one of substantial functionality(see, for example, ¶ 32 in the Specification as filed).

#### C. **Kegel Does Not Anticipate the Claimed Subject Matter**

Claims 1-9, 11, 12, 14-17, 25-31, 33, 35, 36, 40-46, 49-55, and 61-69 standrejected under 35 U.S.C. 102(e) as being anticipated by Kegel et al. (Publication No. US 2003/0163519). Specifically, the Examiner asserts that:

> Regarding Claims 1, 25, 40, 49, and 65, Kegel teaches changing hypermedia 12. content of a web site.

> The method and associated system for changing hypermedia content of a web site as taught or suggested by Kegel includes:

# ...[displaying]

a superset of the file objects associated with each of the designated file system locations in a single display (¶0061, "...a root folder 33 named "Lemon Source" with the following sub-folders on the next lower level of the hierarchy "About Us"34, "Contacts"35, Products"36 and "Services"37. For the next lower level of the hierarchy, the folder "Products" 36 has associated sub-folders "Meals" 38 and "Snacks" 39. For the next lower level of the hierarchy, the folder "Meals" 38 has associated sub-folders "Breakfast"40, "Evening Meal"41 and "Lunch"42.");

Office Action dated January 9, 2008 at p. 7, ¶ 12. This rejection is improper for at least the reasons set forth below.

Each of independent claims 1, 25, 40, 49, and 65 recite the display of asuperset or set union of file objectslocated at each of a plurality of file system locations in a single display."The term 'superset' means the file object overlap or set union of two or more file system locations." Specification at ¶ 19.

First, Kegel does not disclose displaying a "superset of the file objects" or the "set union of the file objects." As noted above, at most Kegel discloses displaying only the files from "a particular folder" where the particular folder is either located on the computer system where the conversion program resides **or** the network server, but not both. Kegel at ¶ 60, ¶ 111, Fig. 2 and Fig. 5. At no point does Kegel disclose, or fairly

suggest, showing a union of file objects from both of these locations in a single display. *See discussion above.* 

Further, displaying files from one *particular folder*, as described in Kegel is the antithesis of the claimed invention – displaying a superset or set union of the file objects associated with each of two or more designated file system locations in a single display. In Kegel, the file display hierarchy is organized first according to file system location, and then according to folder name. In the claimed invention, the display hierarchy order is reversed – the hierarchy is organized first according to folder name, and then according to file system location. Specification at ¶ 26 and Fig. 5. The significance of this difference is that the claimed invention displays the files from a particular folder name, fromeach of thefile system locations, grouped together under one "folder" with that same name. Specification at ¶ 26 and Fig. 5.

At no time, and in no way, does Kegel teach or fairly describe displaying a superset or set union of file objects associated with each of two or more designated file system locations in a single display. For at least this reason alone, Kegel fails to teach each and every element recited in independent claims 1, 25, 40, 49, and 65. As a result, the Examiner has failed to present a legitimate *prima facie* anticipatory rejection under 35 U.S.C. 102. Reversal of this rejection is, therefore, requested.

Each of rejected claims 2-9, 11, 12, 14-17, 26-31, 33, 35, 36, 41-46, 50-55, and 61-69 depend from one of independent claims 1, 25, 40, 49, and 65. Since each independent claim is patentable over Kegelas discussed above, each of the identified dependent claims are also allowable. Reversal of this rejection is, therefore, requested.

# The Rejection of Claims 10,13,18-24,32,34,37-39,47,48,56-60, and 70-74 as Allegedly Being Obvious Over Kegelin view of Starbuck under 35 U.S.C.103 is Improper

Claims 10,13,18-24,32,34,37-39,47,48,56-60, and 70-74 were rejected under35 U.S.C. 103(a) as being obvious over Kegel, as applied to claims 1, 25, 40, 49, and 65

above, and further in view of Pub. No. US 2003/0084096 to Starbuck et al. ("Starbuck").

Each of the rejected claims depend from one of the independent claims 1, 25, 40, 49, or 65. Because each of the independent claims 1, 25, 40, 49, or 65 is patentable over the cited art (see discussion above), each of the dependent claims 10, 13, 18-24, 32, 34, 37-39, 47, 48, 56-60, and 70-74 is also allowable. Accordingly, it is respectfully requested that the Examiner withdraw these rejections.

# E. Conclusion

For at least the reasons stated above, Appellants respectfully submit that all outstanding rejections should bereversed. Additionally, to the extent specific claims have not been addressed, these claims depend from one or more claims that are specifically addressed, and are therefore patentable for at least the same reasons as the claims specifically addressed. Appellants further believe that they have complied with each requirement for an appeal brief.

In the course of the foregoing discussions, Appellantsmay have at times referred to claimlimitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that other limitations may be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited prior art which have yet to be raised, but which may be raised in the future.

If any fees are required or have beenoverpaid, please appropriately charge or credit those fees to Deposit AccountNumber 501922, referencing docket number 119-0020US.

Respectfully submitted,

/Coe F. Miles, Ph.D., J.D./

APPEAL BRIEF SERIAL NO: 10/737,055 FILED ON 09 JUN 2008 DOCKET NO: P3217US1

Reg. No. 38,559

Wong, Cabello, Lutsch, Rutherford & Brucculeri, L.L.P.

Customer No. 29855 Voice: 832-446-2418
20333 SH 249, Suite 600 Mobile: 713-502-5382
Houston, Texas 77070 Facsimile: 832-446-2458

Email: cmiles@counselIP.com

#### **VIII. CLAIMS APPENDIX**

The below listing of claims will replace all prior versions, and listings, of claims in the application.

1. (Previously presented) A file browser method, comprising:

designating a plurality of file system locations, wherein each file system location is associated with zero or more file objects; and

displaying a superset of the file objects associated with each of the designated file system locations in a single displayon a display unit.

- 2. (Original) The method of claim 1, wherein the act of designating is performed explicitly by a user.
- 3. (Original) The method of claim 1, wherein the file system comprises a hierarchical file system.
- 4. (Original) The method of claim 1, wherein the file system comprises a non-hierarchical file system.
- 5. (Original) The method of claim 1, wherein the act of designating comprises designating file system locations on at least two different computer systems.
- 6. (Original) The method of claim 1, wherein the act of designating comprises designating a cached file structure image as a file system location.
- 7. (Original) The method of claim 5, wherein the act of designating file system locations on at least two different computer systems comprises designating file system

APPEAL BRIEF SERIAL NO: 10/737,055
FILED ON 09 JUN 2008 CLAIMS APPENDIX DOCKET NO: P3217US1

locations on at least two different computer systems communicatively coupled by a digital network.

- 8. (Original) The method of claim 5, wherein the act of designating file system locations on at least two different computer systems comprises designating file system locations on at least two different computer systems communicatively coupled by a personal area network.
- 9. (Original) The method of claim 1, wherein the act of displaying comprises identifying those file objects present in each of the designated file system locations in a first manner and those file objects present in only one of the designated file system locations in a second manner.
- 10. (Original) The method of claim 9, wherein the act of identifying file objects in a first manner comprises displaying said file objects in a first color and the act of identifying file objects in a second manner comprises displaying said file objects in a second color.
- 11. (Original) The method of claim 9, wherein the act of identifying file objects in a first manner comprises displaying said file objects using a first characteristic icon and the act of identifying file objects in a second manner comprises displaying said file objects using a second characteristic icon.
- 12. (Original) The method of claim 9, further comprising identifying those file objects present in more than one and less than all of the designated file locations in a third manner.
- 13. (Original) The method of claim 12, wherein the act of identifying file objects in a third manner comprises displaying said file objects in a third color.

DOCKET NO: P3217US1

APPEAL BRIEF FILED ON 09 JUN 2008

- 14. (Original) The method of claim 12, wherein the act of identifying file objects in a third manner comprises displaying said file objects using a third characteristic icon.
- 15. (Original) The method of claim 1, wherein the act of displaying comprises visually distinguishing a first file object from a second file object based on the number of designated file system locations with which the first file object is associated compared to the number of the designated file system locations with which the second file object is associated with.
- 16. (Original) The method of claim 1, wherein the act of displaying comprises visually associating information tags with at least one of the displayed file objects.
- 17. (Original) The method of claim 16, wherein the act of visually associating information tags comprises visually associating one or more alphanumeric symbols with a displayed file object, the alphanumeric symbols identifying the number of designated file system locations associated with the file object.
- 18. (Original) The method of claim 1, further comprising: selecting a displayed file object; issuing a command against the selected file object; and copying the selected file object to a specified location in each of the designated file system locations that it is not already associated with in response to the command.

APPEAL BRIEF SERIAL NO: 10/737,055 FILED ON 09 JUN 2008 CLAIMS APPENDIX DOCKET NO: P3217US1

19. (Original) The method of claim 1, further comprising: selecting a file object displayed in a non-superset file-browser; graphically dragging and dropping the selected file object to a specified location in the designated file system locations; and

copying the selected file object to the specified location in each of the designated file system locations in response to the act of dragging and dropping.

- 20. (Original) The method of claim 19, wherein the act of copying comprises copying the selected file object in accordance with a specified merge policy.
- 21. (Original) The method of claim 20, wherein the specified merge policy comprises a write-over merge policy.
- 22. (Original) The method of claim 20, wherein the specified merge policy comprises a copy-the-latest file object merge policy.
- 23. (Original) The method of claim 1, further comprising: selecting a displayed file object; araphically dragging and dropping the selected file object to a non-

graphically dragging and dropping the selected file object to a non-superset file browser; and

creating multiple copies of the file objects represented by the selected file object in response to the act of dragging and dropping, wherein each created copy duplicates the file object represented by the selected file object in each designated location the file object is located.

24. (Original) The method of claim 23, wherein the act of creating multiple copies further comprises organizing each created copy in a separate directory, said directory indicating the designated location from which the copy was created.

DOCKET NO: P3217US1

APPEAL BRIEF FILED ON 09 JUN 2008

25. (Original) A computer readable storage device comprising instructions for causing a computer to permit a user to:

designate a plurality of file system locations, wherein each file system location is associated with zero or more file objects; and

display the superset of the file objects associated with each of the file system locations in a single display.

- 26. (Original) The storage device of claim 25, wherein the instructions to designate a plurality of file system locations comprise instructions to permit a user to explicitly designate said plurality of file system locations.
- 27. (Original) The storage device of claim 25, wherein the instructions to designate a plurality of file system locations comprise instructions to select one or more default file system locations.
- 28. (Original) The storage device of claim 25, wherein the instructions to designate comprise instructions to designate file system locations on at least two different computer systems.
- 29. (Original) The storage device of claim 25, wherein the instructions to designate comprise instructions to designate a cached file structure image as a file system location.
- 30. (Original) The storage device of claim 25, wherein the instructions to designate comprise instructions to designate a non-hierarchical file system location.

- SERIAL NO: 10/737,055 DOCKET NO: P3217US1
- 31. (Original) The storage device of claim 25, wherein the instructions to display comprise instructions to identify those file objects present in all of the designated file system locations in a first manner and those file objects present in only one of the designated file system locations in a second manner.
- 32. (Original) The storage device of claim 31, wherein the instructions to identify file objects in a first manner comprise instructions to display said file objects in a first color and the instructions to identify file objects in a second manner comprise instructions to display said file objects in a second color.
- 33. (Original) The storage device of claim 31, further comprising instructions to identify file objects present in more than one and less than all of the designated file locations in a third manner.
- 34. (Original) The storage device of claim 33, wherein the instructions to identify file objects in a third manner comprise instructions to display said file objects in a third color.
- 35. (Original) The storage device of claim 25, wherein the instructions to display comprise instructions to visually associate information tags with at least one of the displayed file objects.
- 36. (Original) The storage device of claim 35, wherein the instructions to visually associate information tags comprise instructions to visually associate one or more alphanumeric symbols with a displayed file object, the alphanumeric symbols identifying the number of designated file system locations associated with the file object.

DOCKET NO: P3217US1

APPEAL BRIEF FILED ON 09 JUN 2008

- 37. (Original) The storage device of claim 25, further comprising instructions to:

  permit a user to select a displayed file object;

  permit the user to issue a command against the selected file object; and
  copy the selected file object to a specified location in each of the designated file
  system locations that it is not already associated with in response to the command.
- 38. (Original) The storage device of claim 25, further comprising instructions to:

  permit a user to select a file object displayed in a non-superset file-browser;

  permit the user to graphically drag and drop the selected file object to a

  specified location in the designated file system locations; and

  copy the selected file object to the specified location in each of the designated file system locations in response to the drag and drop operation.
- 39. (Original) The storage device of claim 38, wherein the instructions to copy comprise instructions to copy the selected file object in accordance with a specified merge policy.

DOCKET NO: P3217US1

APPEAL BRIEF FILED ON 09 JUN 2008

- 40. (Original) A computer system, comprising:
  - a central processing unit;
  - a memory operatively coupled to the central processing unit;
- a computer network connection operatively coupled to the central processing unit;
- a display unit operatively coupled to the central processing unit and the memory; and
- a storage device, operatively coupled to the central processing unit and the memory, said storage device having instructions stored thereon for causing the central processing unit to:

display, on the display unit, a file-browser application,

designate a plurality of file system locations, wherein each file system location is associated with zero or more file objects, and

display, in the file-browser application, a superset of the file objects associated with each of the file system locations.

- 41. (Original) The computer system of claim 40, wherein the instructions to designate comprise instructions to designate file system locations on at least two different computer systems.
- 42. (Original) The computer system of claim 40, wherein the instructions to designate comprise instructions to designate a non-hierarchical file system location.
- 43. (Original) The computer system of claim 40, wherein the instructions to designate comprise instructions to require a user to explicitly designate at least one of the plurality of file system locations.

DOCKET NO: P3217US1

APPEAL BRIEF FILED ON 09 JUN 2008

- 44. (Original) The computer system of claim 40, wherein the instructions to display comprise instructions to graphically identify those file objects present in all of the designated file system locations in a first manner and all those file objects present in only one of the designated file system locations in a second manner.
- 45. (Original) The computer system of claim 44, further comprising instructions to graphically identify those file objects present in more than one of the designated file locations and less than all of the designated file locations in a third manner.
- 46. (Original) The computer system of claim 40, wherein the instructions to display comprise instructions to visually associate information tags with at least one of the displayed file objects.
- 47. (Original) The computer system of claim 40, further comprising instructions to:

  permit a user to select a displayed file object;

  permit the user to issue a command against the selected file object; and

  copy the selected file object to a specified location in each of the designated file

  system locations that it is not already associated with in response to the command.
- 48. (Original) The computer system of claim 40, further comprising instructions to:

  permit a user to select a file object displayed in a second file-browser;

  permit the user to graphically drag and drop the selected file object to a

  specified location in the designated file system locations; and

copy the selected file object to the specified location in each of the designated file system locations in response to the drag and drop operation.

DOCKET NO: P3217US1

APPEAL BRIEF FILED ON 09 JUN 2008

49. (Original) In a computer network of a type including at least two devices, wherein each device presents a file system, each of said file systems comprising one or more locations, each of said one or more locations associated with zero or more file system objects, a method for displaying a superset of file system objects, comprising:

specifying a file system location on each of the at least two devices; and displaying the set union of the file system objects located at each of the specified file system locations.

- 50. (Original) The method of claim 49, wherein the act of specifying comprises a user specifying at least one of the file system locations explicitly.
- 51. (Original) The method of claim 49, wherein the act of specifying comprises using a default location inat least one of the at least two file systems.
- 52. (Original) The method of claim 49, wherein at least one of the specified file system locations comprises a location in a hierarchically organized file system.
- 53. (Original) The method of claim 49, wherein at least one of the specified file system locations comprises a location in a non-hierarchically organized file system.
- 54. (Original) The method of claim 49, wherein the computer network comprises a personal area network.
- 55. (Original) The method of claim 49, wherein the act of specifying comprises specifying a cached file structure image as a file system location.

DOCKET NO: P3217US1

APPEAL BRIEF FILED ON 09 JUN 2008

56. (Original) The method of claim 49, further comprising: selecting a file system object from the displayed set union of file system objects; and

copying the selected file system object to a designated location in each of the specified file system locations that it is not already associated with.

57. (Original) The method of claim 49, further comprising:

selecting a file system object displayed in accordance with a non-superset filebrowser application;

graphically dragging and dropping the selected file system object to a designated location in the displayed set union of file system objects; and

copying the selected file system object to the designated location in each of the specified file system locations.

- 58. (Original) The method of claim 57, wherein the act of copying comprises copying the selected file system object in accordance with a merge policy.
- (Original) The method of claim 49, further comprising: 59. displaying a file system location in a non-superset file-browser application; selecting a file system object from the displayed set union of file system objects; graphically dragging and dropping the selected file system object onto the file system location displayed in the non-superset file-browser application; and

creating multiple copies of the selected file system object at the file system location displayed in the non-superset file-browser application, wherein each created copy duplicates an object represented by the selected file system object in each specified location the file system object is located.

DOCKET NO: P3217US1

APPEAL BRIEF FILED ON 09 JUN 2008

- 60. (Original) The method of claim 59, wherein the act of creating the multiple copies further comprises organizing each created copy in a separate directory, said directory indicating the specified location from which the copy was created.
- 61. (Original) The method of claim 49, wherein the act of displaying comprises visually distinguishing a first file system object from a second file system object based on the number of the specified file system locations the first file system object is associated with relative to the number of the specified file system locations the second file system object is associated with.
- 62. (Original) The method of claim 49, wherein the act of displaying comprises visually associating information tags with at least one of the displayed file system objects.
- 63. (Original) The method of claim 49, wherein the act of displaying file system objects comprises displaying an icon representing a file object.
- 64. (Original) The method of claim 63, wherein the act of displaying file system objects further comprises displaying an icon representing a directory object.
- 65. (Original) A computer readable program storage device comprising instructions stored therein for causing acomputer to:
- specify a file system location on each of at least two computers; and display the set union of file system objects located at each of the specified file system locations.
- 66. (Original) The program storage device of claim 65, wherein at least one of the file system locations comprise a hierarchically organized file system.

APPEAL BRIEF SERIAL NO: 10/737,055 FILED ON 09 JUN 2008 CLAIMS APPENDIX DOCKET NO: P3217US1

67. (Original) The program storage device of claim 65, wherein at least one of the file system locations comprise a non-hierarchically organized file system.

- 68. (Original) The program storage device of claim 65, wherein the instructions to specify comprise instructions to permit a user to explicitly designate at least one file system location.
- 69. (Original) The program storage device of claim 65, wherein the instructions to specify comprise instructions to use at least one default file system location.
- 70. (Original) The program storage device of claim 65, further comprising instructions to:

permit a user to select a file system object from the displayed set union of file system objects; and

copy the selected file system object to a designated location in each of the specified file system locations that it is not already associated with.

71. (Original) The program storage device of claim 65, further comprising instructions to:

permit a user to select a file system object displayed in accordance with a nonsuperset file-browser application;

permit the user to graphically drag the selected file system object to a designated location in the displayed set union of file system objects; and

copy the selected file object to the designated location in each of the specified file system locations.

72. (Original) The program storage device of claim 71, wherein the instructions to copy comprise instructions to copy the selected file object in accordance with a merge policy.

DOCKET NO: P3217US1

APPEAL BRIEF FILED ON 09 JUN 2008

73. (Original) The program storage device of claim 65, further comprising instructions to:

display a file system location in a non-superset file-browser application; permit a user to select a file system object from the displayed set union of file system objects;

permit the user to graphically drag and drop the selected file system object onto the file system location displayed in the non-superset file-browser application; and create multiple copies of the selected file system object at the file system location displayed in the non-superset file-browser application, wherein each created

copy duplicates an object represented by the displayed file system object in each

specified location the file system object is located.

- 74. (Original) The program storage device of claim 73, wherein the instructions to create the multiple copies further comprise instructions to organize each created copy in a separate directory, said directory indicating the specified file system location from which the copy was created.
- 75. (Original) The program storage device of claim 65, wherein the instructions to display comprise instructions to visually distinguish a first file system object from a second file system object based on the number of the specified file system locations the first file system object is associated with relative to the number of the specified file system locations the second file system object is associated with.
- 76. (Original) The program storage device of claim 65, wherein the instructions to display comprise instructions to visually associate information tags with at least one of the displayed file system objects.

DOCKET NO: P3217US1

# IX. EVIDENCE APPENDIX

None.

DOCKET NO: P3217US1

# X. RELATED PROCEEDINGS APPENDIX

None.